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SERVICE DATE - AUGUST 28, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 171X)

UNION PACIFIC RAILROAD COMPANY--ABANDONMENT EXEMPTION--IN
WASHINGTON COUNTY, IL

Decided: August 27, 2003

Union Pacific Railroad Company (UP) filed a notice of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments to abandon an 18.10-mile line of railroad, known as the Sparta Branch, extending from milepost 41.1 near Oakdale to the end of the track at milepost 23.0, near Hoyleton, in Washington County, IL. Notice of the exemption was served and published in the Federal Register on August 1, 2003 (68 FR 45312-13). Under 49 CFR 1152.50(d)(3), the exemption was scheduled to become effective on September 2, 2003, but a formal expression of intent to file an offer of financial assistance (OFA) was timely filed by Vandalia Railroad Company (VRRRC) to purchase the entire line. This automatically stayed the effective date of the exemption for 10 days until September 12, 2003.¹

By decision served August 27, 2003, the proceeding was reopened and the exemption was made subject to several environmental conditions. On August 6, 2003, VRRRC filed a request to toll the 30-day period for submitting its OFA and simultaneously requested that UP provide it with the financial data and information prescribed in 49 CFR 1152.27(a). VRRRC states additional time is needed to evaluate the information and prepare the OFA. Because offeror needs additional time to obtain the necessary information from UP, and UP has not objected to the extension, the request of VRRRC will be granted. As a result, an OFA will be due on October 2, 2003, and the effective date of the exemption will be extended to October 12, 2003.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The time period for VRRRC to file an OFA is tolled until October 2, 2003, and the effective date of the exemption is further postponed until October 12, 2003.

¹ See 49 CFR 1152.27(c)(2)(i).

2. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary